

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Richard Allen
DOCKET NO.: 05-26706.001-R-1
PARCEL NO.: 07-34-414-001-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Richard Allen, the appellant, and the Cook County Board of Review (board).

The subject property consists of a one-year-old, two-story single-family dwelling of masonry construction containing 3,351 square feet of living area and located in Schaumburg Township, Cook County. The residence contains two and one-half bathrooms, a full finished basement, air conditioning, a fireplace and a three-car garage.

The appellant submitted evidence before the PTAB claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered eight suggested comparable properties located within one block of the subject. These properties consist of two-story, single-family dwellings of masonry or frame and masonry construction and range in age from four to six years. The comparables have two or three bathrooms with some half-baths and full or partial basements, two finished. All homes have air-conditioning, fireplaces and three-car garages. The comparables contain between 3,473 and 3,790 square feet of living area and have improvement assessments ranging from \$34,385 to \$42,660 or from \$9.69 to \$12.08 per square foot of living area. The appellant also submitted sales data for seven of the comparables to demonstrate their comparability to the subject. The sales occurred between April 2000 and September 2002 for prices ranging from \$420,000 to \$489,000 or from \$118.38 to \$138.57 per square foot. The appellant disclosed he purchased his home for \$519,000 or \$154.88 per square foot in September of 2004. Based on this evidence, the appellant requested a reduction in the subject's assessment.

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 6,240
IMPR. \$41,760
TOTAL: \$48,000

Subject only to the State multiplier as applicable.

PTAB/TMcG.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$45,219, or \$13.49 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered four suggested comparable properties located within three blocks of the subject. The comparables consist of two-story single-family dwellings of masonry construction and range in age from one to four years. The comparables contain two or three bathrooms with half-baths, all with full basements; all have air conditioning, fireplaces and three-car garages. The comparables range in size from 2,704 to 4,025 square feet of living area and have improvement assessments of between \$39,454 and \$56,580 or from \$13.34 to \$14.59 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After reviewing the record and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the PTAB finds the appellant has overcome this burden.

The PTAB finds the appellant's comparables carry the most weight, especially comparables one and two and five through eight which are the comparables most similar to the subject. These properties have improvement assessments ranging from \$9.69 to \$12.08 per square foot of living area. The subject's per square foot improvement assessment of \$13.49 is above this range of properties. The PTAB gives less weight to the remaining six comparables because they are less similar to the subject in location or construction or living area. After considering the subject's recent purchase and the differences in the suggested comparables when compared to the subject property, the PTAB finds the evidence is sufficient to support a change in the subject's assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: January 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.